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4 Attorney for Plaintiffs

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

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11 LAURA DAVENPORT, WILLIE ELSTON,) CASE NO. 05-CV-01699 CRB
MAMIE BISAZZA, ARAM YEGHIAZARIAN,) MDL NO. 1699
12 JOSEPH PANARISI, et al.,) 06-0446 CRB
13 Plaintiffs,) STIPULATION AND ORDER OF
14 v.) PARTIAL DISMISSAL
15) DATE: October 27, 2006
MERCK & CO, INC., PHIZER, et al.,) TIME: 10:00 a.m.
16) JUDGE: Charles R. Breyer
17 Defendants.)
18 IT IS HEREBY STIPULATED by and between the parties to this
19 action through their designated counsel that the claims of
20 plaintiffs LAURA DAVENPORT, WILLIE ELSTON, MAMIE BISAZZA, ARAM
21 YEGHIAZARIAN, ELEANOR DRAMIS, GERALDINE BALUCH, CARLOS PERALES,
22 and PAMELA SMETANA against defendant PHIZER be and hereby are
23 dismissed without prejudice pursuant to F.R.C.P. 41(a)(1). The
24 dismissed claims will only be re-filed in the Federal District
Court.

25 Dated: 10/23/06

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Stuart M. Gordon
Attorney for Defendant

27 Michael Smith
28 Attorney for Plaintiffs

1 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED.
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3 Dated: Nov. 1, 2006
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